

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: PARAGARD PRODUCTS  
LIABILITY LITIGATION

MDL DOCKET NO. 2974

This document relates to:

Veronica McDaniel

Plaintiff,

vs.

TEVA PHARMACEUTICALS USA,  
INC., TEVA WOMEN'S HEALTH LLC,  
TEVA BRANDED  
PHARMACEUTICALS PRODUCTS  
R&D, INC., THE COOPER  
COMPANIES, INC., and/or  
COOPERSURGICAL, INC.,

1:20-md-02974-LMM

Civil Action No.: \_\_\_\_\_

Defendants.

**SHORT FORM COMPLAINT**

Come(s) now the Plaintiff(s) named below, and for her Complaint  
against the Defendant(s) named below, incorporate(s) the Second Amended Master  
Personal Injury Complaint (Doc. No. 79), in MDL No. 2974 by reference.

Plaintiff(s) further plead(s) as follows:

1. Name of Plaintiff placed with Paragard: Veronica McDaniel

2. Name of Plaintiff's Spouse (if a party to the case): N/A

3. If case is brought in a representative capacity, Name of Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):  
N/A  
\_\_\_\_\_  
\_\_\_\_\_
4. State of Residence of each Plaintiff (including any Plaintiff in a representative capacity) at time of filing of Plaintiff's original complaint: CA  
\_\_\_\_\_  
\_\_\_\_\_
5. State of Residence of each Plaintiff at the time of Paragard placement: CA  
\_\_\_\_\_
6. State of Residence of each Plaintiff at the time of Paragard removal: CA  
\_\_\_\_\_
7. District Court and Division in which personal jurisdiction and venue would be proper:  
California Central District Court  
\_\_\_\_\_  
\_\_\_\_\_
8. Defendants. (Check one or more of the following five (5) Defendants against whom Plaintiff's Complaint is made. The following five (5) Defendants are the only defendants against whom a Short Form Complaint may be filed. No other entity may be added as a defendant in a Short Form Complaint.):

- ☒ A. Teva Pharmaceuticals USA, Inc.
- ☒ B. Teva Women's Health, LLC
- ☒ C. Teva Branded Pharmaceutical Products R&D, Inc.
- ☐ D. The Cooper Companies, Inc.
- ☒ E. CooperSurgical, Inc.

9. Basis of Jurisdiction

- ☒ Diversity of Citizenship ([28 U.S.C. § 1332\(a\)](#))
- ☐ Other (if Other, identify below):
- 

10.

Date(s) Plaintiff had Paragard placed (DD/MM/YYYY)	Placing Physician(s) or other Health Care Provider (include City and State)	Date Plaintiff's Paragard was Removed (DD/MM/YYYY)*  *If multiple removal(s) or attempted removal procedures, list date of each separately.	Removal Physician(s) or other Health Care Provider (include City and State)**  **If multiple removal(s) or attempted removal procedures, list information separately.
May 6, 2012	Unknown provider - Los Angeles, CA	February 23, 2021  August 11, 2021	Tasona Lloyd, PA - San Pedro, CA  Ahmad Khalifa, MD - Long Beach, CA

11. Plaintiff alleges breakage (other than thread or string breakage) of her Paragard upon removal.



Yes



No

12. Brief statement of injury(ies) Plaintiff is claiming:  
Plaintiff's Paragard IUD broke upon removal requiring multiple procedures to completely remove the device (removal procedures listed above).

Plaintiff reserves her right to allege additional injuries and complications specific to her.

13. Product Identification:

- a. Lot Number of Paragard placed in Plaintiff (if now known):

Unknown at this time

- b. Did you obtain your Paragard from anyone other than the HealthCare Provider who placed your Paragard:



Yes



No

14. Counts in the Master Complaint brought by Plaintiff(s):



Count I – Strict Liability / Design Defect



Count II – Strict Liability / Failure to Warn



Count III – Strict Liability / Manufacturing Defect



Count IV – Negligence



Count V – Negligence / Design and Manufacturing Defect



Count VI – Negligence / Failure to Warn

- ☒ Count IX – Negligent Misrepresentation
  - ☒ Count X – Breach of Express Warranty
  - ☒ Count XI – Breach of Implied Warranty
  - ☒ Count XII – Violation of Consumer Protection Laws
  - ☒ Count XIII – Gross Negligence
  - ☒ Count XIV – Unjust Enrichment
  - ☒ Count XV – Punitive Damages
  - ☐ Count XVI – Loss of Consortium
  - ☐ Other Count(s) (Please state factual and legal basis for other claims not included in the Master Complaint below):
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15. “Tolling/Fraudulent Concealment” allegations:

a. Is Plaintiff alleging “Tolling/Fraudulent Concealment”?



Yes



No

b. If Plaintiff is alleging “tolling/fraudulent concealment” beyond the facts alleged in the Master Complaint, please state the facts and legal basis applicable to the Plaintiff in support of those allegations below:

N/A

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16. Count VII (Fraud & Deceit) and Count VIII (Fraud by Omission) allegations:

a. Is Plaintiff bringing a claim under Count VII (Fraud & Deceit), Count VIII (Fraud by Omission), and/or any other claim for fraud or misrepresentation?

☐

Yes

☒

No

b. If Yes, the following information must be provided (in accordance with [Federal Rule of Civil Procedure 8](#) and/or 9, and/or with pleading requirements applicable to Plaintiff's state law claims):

i. The alleged statement(s) of material fact that Plaintiff alleges was false: \_\_\_\_\_

\_\_\_\_\_

ii. Who allegedly made the statement: \_\_\_\_\_

\_\_\_\_\_

iii. To whom the statement was allegedly made: \_\_\_\_\_

\_\_\_\_\_

iv. The date(s) on which the statement was allegedly made: \_\_\_\_\_

\_\_\_\_\_

17. If Plaintiff is bringing any claim for manufacturing defect and alleging facts beyond those contained in the Master Complaint, the following information must be provided:

a. What does Plaintiff allege is the manufacturing defect in her Paragard? N/A

18. Plaintiff's demand for the relief sought if different than what is alleged in the Master Complaint: N/A

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19. Jury Demand:



Jury Trial is demanded as to all counts



Jury Trial is NOT demanded as to any count

s/ Basil E. Adham

Attorney(s) for Plaintiff

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